

1894-058 Chancery Causes: Nimrod Noel vs. Martha Coomer
Lee Co.

1 Plat

CA-Debt
T-Property

To The Hon. H. K. Morison Judge
of the Circuit Court of Lee
County Virginia:

Your orator Amos H. H. who humbly complaining
would respectfully represent
that heretofore at the June Term
of this Hon. Court for the year 1892
he obtained against G. Tyler
Coomer, and Martha Coomer
his wife a judgement in eject-
ment, and also a judgement
for his Costs for \$102.30. On this
judgement an execution issued and
and was placed in the hands of
C. E. Hanary Sheriff of said
County and was by him re-
turned on 15th day of August 1892
no property found. A copy of
this Fi fa and the return thereof
will be found herewith filed as
part hereof marked "A"

This judgement nor no part
thereof has been paid your

Orator, but the same remains wholly due to him.

The said Martha boomer, has a small tract of land in this County situated on the South side of Cumberland Mountain at Cranks Gap, in this County the rents and profits of which will not in five years pay and discharge this said judgment.

Your orator is advised that this judgment, being docketed in the judgment lien docket is a lien ^{and said judgment, is it only lien upon said land} upon this land and that a Court of equity will enforce the same

To enforce which said judgment lien upon said land and sell so much thereof as may be necessary to pay the same is the object of this bill -

To affect which he prays that Martha boomer be made a party to this bill and answer the same but she need not do so upon

auth that being waived. The G. Tyler
Covner is not made a party hereto
because he has left the Common-
wealth of Virginia and has no
effect known to your orator out of
which said judgment can be
made. Your orator omitted to state
that he is informed there are some
other small liens on said land but
to whom due or their amt to he
is unable to say - His further prayer
is that if such be the case that an
account be taken & said liens as-
certained - And for all other further
and general relief - May your
court &c.

A. L. Pridemore

P. Q.

C 6.14 PD
 S 50.
 CA 15.00
 Estimate 2.50 PD 6.14
 \$24.14 PD 6.14
 + CA 6.50 PD 7.70
 24.79

102.50

24.79

127.09

14
 2.50
 \$10.29

12 65
 \$133.44

Minrod Aco

vs Bill Chy

Martha Coomer

1892 1st Octo Rules Bill

filed Sp. Exd & H.

" 2nd Octo Rules & H.

Caused Cause set for hearing by Plff.

" noon no court

1893 Mr. Decree Contd

" noon Contd

1894 March Term

Decree final

OB 567

Minrod Not

Plff

against

Martha Cowen

Def

} In chg-

This cause came on this day again to be heard upon the papers formerly read & the report ^{of} ~~the~~ ^{Dea} exhibits filed therewith of D.C. Swell special Commissioner to which there are no exceptions ~~and~~ ^{as} was argued by Counsel. On consideration whereof said report, ^{said} having been filed more than ten days before the first day of this term of the Court, ~~it~~ is adjudged, ordered & decreed that said report, ^{said} & the same are ^{each} ~~are~~ confirmed; and it appearing that said Court has turn over the funds arising from the sale of the land to the plaintiff herein ~~from~~ ^{as} ~~the~~ ^{agreed} by a former decree entered in this cause for which he files a receipt the same is ~~approved~~ & confirmed; and the said purchasers D.R. Not and J.G. Browning have leave to withdraw said deed from the files of papers herein for recordation. It is further adjudged ordered & decreed that said Court Swell be & is hereby allowed \$2⁵⁰ for making & reporting said deed & nothing further appearing necessary to be done this cause is stricken from the docket.

Nimrod Noel

25 } Dress
Confirming Decd of fine

Martha Coomer

March 8 1894

E. C. O. B. Page 567.

March 10 1894

Enter this

H. L. K. M.

March 10 1894

Amos Rod hol plff. In ch
against North Coomer. sept

This cause came on this day
to be again heard upon
the papers formerly filed
and the report of S. C. Sewell
filed May 29th 1873, to which
there are no exceptions - and
was argued by Counsel.

On consideration whereof &
for reasons appearing to
the Court, said report and sale
are each confirmed & made
final, and the plff being
willing to accept said sale
as and for his debt, the Court,
will turn the same over to
him, and take his receipt
therefor, and make to the pur-
chaser a deed for said land
with Covenant of special
warranty for the land so sold
by him. And the purchaser may
have a writ of possession for
said land at the expiration of
90 days from the rising of
this Court. Said Court will
report his act to this Court at its

next term & the cause is continued.

Minrod Hol

25 Decree

Martha Coomer

June 7. 1893

Entered Chcy
OB. 505-6

June 10 1893

J. A. Hyatt

Enter this
June 10 1893

~~1893~~

Amirod Roe

Against

Martha Coomer

Deft.

De Chy

This Cause
Came on this day to be heard
upon the ~~papers formerly read~~
Bill taken for confessed, exhib-
its filed and was argued by
Counsel - On Consideration of which
and for reasons appearing to
the Court it is adjudged ordered
and decreed that the plff receive
from the defendant the sum
of one hundred and two dollars
and 30 Cents and the Costs of this
suit - And unless the defendant
or some one for her shall pay
the same within 30 days from
the rising of this Court, then D.C.
sewell who is hereby appointed
a special Commissioner will
sell said land or so much thereof
as may be necessary to pay the
sums herein decreed. He will
sell the same on a credit of 12
months except so much as may
be necessary to pay the Costs he
will require paid in hand.

Amosd Noel

73 Decree for
sale.

Martha Leומר

March 7. 1893

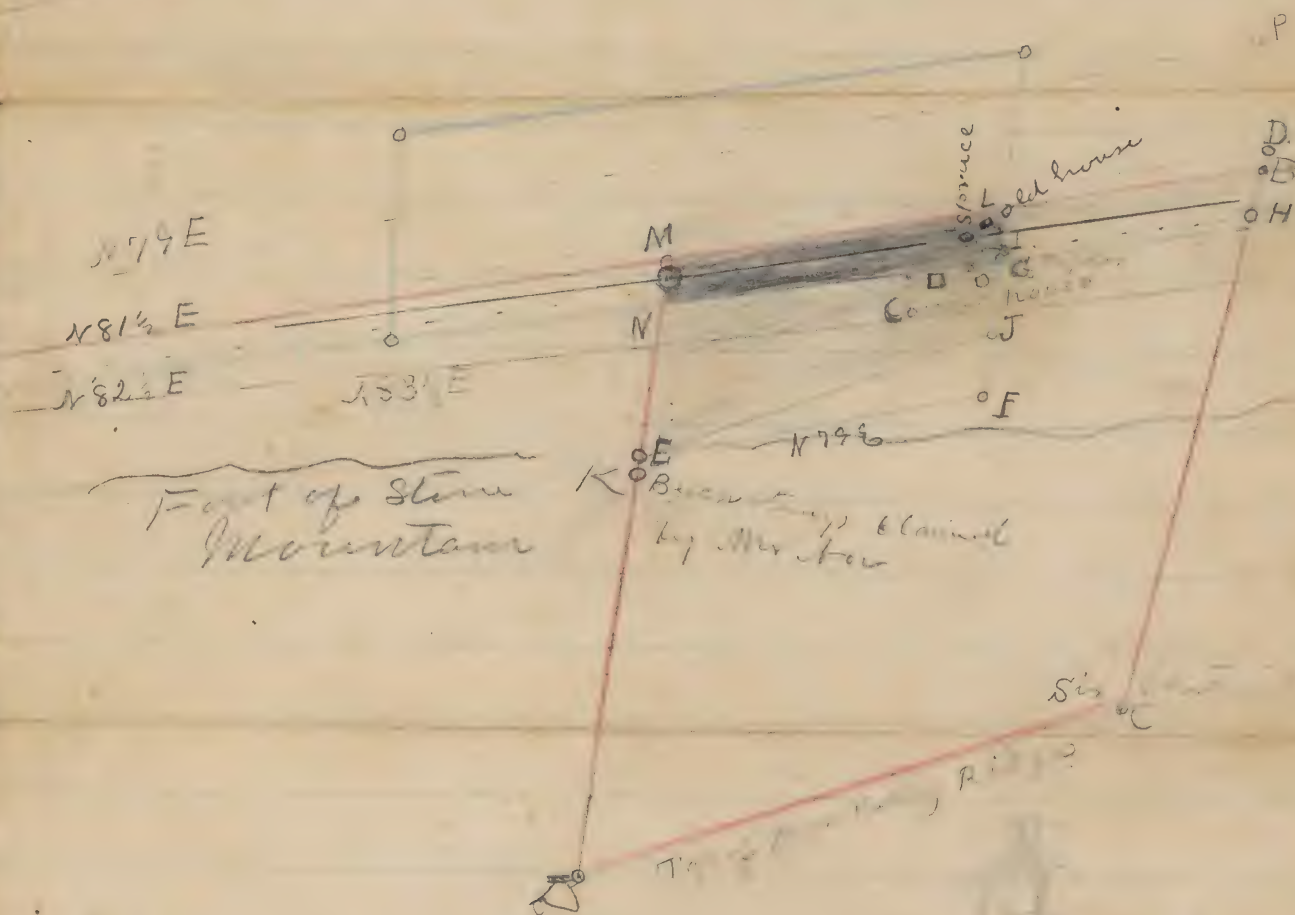
Entered in City O.B.
p. 455, March 9th 1893.
J. A. G. Hyatt, Clerk.

Enter this
March 10 - 1893

4-2-93
J.

And for the receiver require bond
payable to himself as Commissioner
bearing interest from day
of sale with good personal security - He will make sale of the
same on some Court-day in
front of the Court House door
by public outcry to the highest
bidder - But before proceeding to
do so he will execute bond before
the Clerk of this Court in a bond
of a penalty of \$250.00 Condition
to duly perform his duties hereunder
He will then advertise the same
by ~~publishing~~ posting notice of
the time place & terms of sale for
at least 30 days before sale on the
front door of the Court House or in
some public place where the land
lies - He will report his actions to
this Court and the Cause is Continued.

Top of stone ~~is~~ ~~in~~ ~~the~~ ~~middle~~ ~~of~~ ~~the~~ ~~stone~~



Rail does represent to Nod's claims
Blue " " Covers "

Part A.

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee county
The undersigned special commissioner in the chancery cause of Nimrod
Noe vs. Martha Coomer would respectfully report that pursuant to the t
terms of a decree entered in said cause on the 10th day of March, 1893,
after having first published the time and place of sale by posting writ
ten notices thereof as directed by said decree, he on the 16th day of
May 1893, that being the ^{second} first day of the May term of the county court
of Lee county, ^{at the front door of the court house} offered the tract of land in bill and proceeding mention-
ed, to the highest bidder on a credit of twelve months, except as to cost
of suit and expenses of sale which he required to be paid down, and at
said sale David R. Noe and James G. Browning being the highest bidders
said land was knocked down to them ^{jointly} at the price of \$133.44, the amount
of the debt, costs of the suit and the commissions of sale, said purcha-
ers then paid down to me the sum of \$31.14 the costs of suit and commis-
sions of sale, and executed their note to me for \$102.30 the residue of
the sum bid, said note will become payable in one year from date and
bears interest from the day of sale, and is signed by W.H.C. Noe as se-
curity. Your commissioner deems said note perfectly good and he believe
the sale to be as good a one as can be made of said lands and therefore
recommends a confirmation of said sale. Of the sum paid down to him
your commissioner paid the costs as taxed by the clerk, to wit: to J.A.
G. Hyatt, clerk, \$6.79, to C.E. Flanary, sheriff, \$0.50; to A.L. Pridemore,
att'y., \$15.00, he retained \$6.35 for his commission; which leaves in
your commissioner's hand the sum of \$2.50 estimated costs, and this sum
your commissioner has turned over to J.A.G. Hyatt and taken his re-
ceipt therefor, said note and receipts are herewith filed marked "1",
"2", "3", "4" & "5". All of which is respectfully submitted.

Your court would also state that said
Martha Coomer filed her homestead
claim in the county court clerk's office
on the day of said sale, but did not
think that would interfere with the sale she being
a married woman & her
husband, Tyler Coomer
is still living

Respectfully
D. F. Sewell
Spec. Comm.

Nimrod vs
3 Corners
vs 3 Report of sale
Martha Coomer
Filed May 23rd 1873
J. A. Hyatt

To the Hon. H. S. K. Morrison Judge
of the circuit Court of Lee Co. Va
your undersigned Special Commissioner
pursuant to a decree entered in
the chy cause of Nimrod Roe vs Martha
Coomer now pending in the your honor's
court, filed June 10th 1893 would re-
spectfully report:

1. That he, on the 15th Feby 1894
turned over to the plaintiff Nimrod
Roe, the note executed to your
court for the purchase price of the
land sold in said cause, for
which he took receipts & now
exhibits same to the court
as a part hereof.
2. That he, pursuant to the terms
of said decree, ^{has} made & filed here-
with a deed from himself
as Commissioner to D. R. Roe & J. G. Browning
joint purchasers of said land
with covenants of special
warranty & for which your
court charges \$2⁵⁰.

All which is respectfully sub-

D. C. Sewell
Spe. Comm.

Miner's Note

my Report

Martha Coomer

Filed Feb 16th 1894
A B Munsey

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of Lee County--Greeting :

WE COMMAND YOU TO SUMMON John D. Bays and A. Grubb

to appear before our ^{Sircuit} County Court for Lee County, at the Courthouse, on the 9 day of June 1892, to show cause, if any they can, why they should not be fined and attached for their contempt, in not attending our said Court at June term, 1892, as Witnesses

Earl H. Dyer James Dyer and Lubin Dyer are

having been duly summoned, and not appearing when solemnly called, and have then there this writ.

Witness John R. Gibson, Clerk of our said County Court, at the Courthouse, the 9 day of June, 1892, in the 110 th year of the Commonwealth.

John R. Gibson, Clerk.

B. Tyler Coomstock

Wash

Water Bays at a

Lo 4 day must 1872

Excited by Delivered
an office copy of
the book kept at
a Wash and Peter
Coy's this Jan 19-1872
J. H. Weston D.S.
for S. E. Planary
S. E. D.

Canvassed, says
down timber, a
"H" same as in
Joe's deed.
Poplar & Chestnut
Oak.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of Lee County--Greeting :

WE COMMAND YOU TO SUMMON

John P. Graham

to appear before our ^{*County*} Court for Lee County, at the Courthouse, on the *8th* day of *April* 189*2*, to show cause, if any *he* can, why *he* should not be fined and attached for *this*

contempt, in not attending our said Court at *April* term, 189*2*, as *a witness*
for P. Tyler Seaman George and
Winceda Mae

having been duly summoned, and not appearing when solemnly called, and have then there this writ.

Witness John R. Gibson, Clerk of our said County Court, at the Courthouse, the *8th* day of

April, 189*2*, in the *1116* th year of the Commonwealth.

John R. Gibson, Clerk.

H. Lytle Co. Cincinnati

2cs 2 1/2 miles

John P. H. H. H.

209 слово Рн и Рн

KNOW ALL MEN BY THESE PRESENTS, That we

D. C. Sewell
J. A. G. Hyatt

are held and firmly bound unto the Commonwealth of Virginia, in the sum of

Two Hundred Fifty dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of United States. Sealed with our seals, and dated *10th* day

of *April*, one thousand eight hundred and *Twenty Three*

The Condition of The Above Obligation is Such, That if the above bound

D. C. Sewell
shall faithfully perform the duties of *his* office or trust, as *Commissioner*
Revenue

under and by the Court of the County of Lee, pronounced on the

10 day of *March*, 18*73*, in the suit therein depending
under the name and style of *Amos Roe* Plaintiff

vs. *Martha Coan* Defendant

and properly account for all sums of money
such *Commissioner*

he may receive as

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
presence of

D. C. Sewell

(SEAL)

J. A. G. Hyatt security

(SEAL)

In the Clerk's Office of the Circuit Court of the County of Lee

This day

suret on the above bond, made oath before me J. A. G. Hyatt, Clerk of the Circuit Court of the County of Lee, that
estate after the payment of all just debts, and those
for which bound as securit for others, and expect to have
to pay worth the sum of

dollars.

Given under my hand this

day of

18

Test

Clerk.

The Commonwealth of Virginia,

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

W. P. Spruill

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *fourth*
day of *April* *3* *1892* term next to testify and the truth to speak in behalf of
Minna Lee in certain matters of controversy
pending in our said Court between *Suit*

Minna Lee Plaintiff, and *G. Lyle*

Comer & wife Defendant. And this *he* shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *9* day of *April* 18 *92*, in the 11 year of the Commonwealth.
J. A. G. Hyatt Clerk.

1. March 1892

to 3. 1892

W. Taylor Co. owner

to 3. 1892

to 3. 1892

to 3. 1892

to 3. 1892

to 3. 1892

to 3. 1892

The Commonwealth of Virginia,

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

William Bowman

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *fifth*
day of *April 3* term next to testify and the truth to speak in behalf of
Wm. Lyler Bowman's wife in certain matters of controversy
pending in our said Court between —

James A. C. Plaintiff, and *Wm. Lyler Bowman's wife*

Wm. Lyler Bowman's wife Defendant. And this *he* shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *8* day of *April* 18*93*, in the 11 year of the Commonwealth.

J. A. G. Hyatt Clerk.

G. Tyler Cromwell
ad 3 1/2 Spd
Muralis

To S. Taylor, N. Y. 1882
St. Albans

Executed April
1882. - by
Anna M.
Bourne.

C. C. Fleming
S. L. 6

250

The Commonwealth of Virginia,

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

Ephraim Burgher
Joseph Bowman & David Lee

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *fourth*
day of *April 181* term next to testify and the truth to speak in behalf of
Amos Lee in certain matters of controversy
pending in our said Court between *said*

Lee Plaintiff, and *Dr. Lytle*

Bowman & wife Defendant. And this *they* shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *6th* day of *April* 18*1*, in the 11th year of the Commonwealth.
J. A. G. Hyatt Clerk.

Skinned tree

200 3 3 3 3

Wm. L. Cooney

To 4th day April 18th 2.

We accept of your
 service of this

Received of the
Lyon of 1816/17

Spencer

El Bürger

Joseph Brown

L. R. No. 7

The Commonwealth of Virginia,

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the first
day of April (March) term next to testify and the truth to speak in behalf of
H. Tyler Coomer in certian matters of controversy
pending in our said Court between

James Lee Plaintiff, and

Coomer Defendant.

And this

he shall in no wise

omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt.

Clerk of our said Court at the Courthouse.

This 21 day of March 1892, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

(W)

G. Lynn Brown

and John

Amesbury

Sept^r day the 28 1882

Executed at

the 28 1882

by Sumner

Co. D. Orr

L. M. Wade

Deputy for

C. C. Alamy

N. L. C.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

WE COMMAND YOU TO SUMMON Peter X 12 up Rock
X 12 up L. X 12 X Poly L. X 12 X Blauken
Ship Road L. M. X Curious

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the first day of November term next to testify and the truth to speak in behalf of

_____ in certain matters of controversy
pending in our said Court between _____

Amos Lee Plaintiff, and

omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt.
Clerk of our said Court at the Courthouse.

This 12th day of Novr. 1891, in the 11th year of the Commonwealth.

Clerk.

Witnessed Also

$\frac{2}{3}$ Shd
no. 3

G. Dylan Coomen

Le 1st day Nov. Term 1891

Executed by summoning
the within witnesses
this 1st day Nov - 1891

J. H. Johnston, S.
for G. E. Coomen
J. H.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

C. B. Johnson

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *Sixth*
day of *April 8* term next to testify and the truth to speak in behalf of
G. Tyler Coomans wife in certian matters of controversy
pending in our said Court between

Amos A. Doe Plaintiff, and *said*

G. Tyler Coomans wife Defendant. And this *he* shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *8th* day of *April* 18 *92*, in the 11 *th* year of the Commonwealth.
J. A. G. Hyatt Clerk.

Q. Tyler Brown
Age 3 1/2
Pine Lake

Le b'ant p. 8. 1872

Entered by
C. J. Johnson
April 8 1872.
C. J. Johnson, S. L.

The Commonwealth of Virginia,

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

St. D. Orr

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *Second*
day of *June* term next to testify and the truth to speak in behalf of
W. Tyler Leasman in certian matters of controversy
pending in our said Court between

Alfred Lee Plaintiff, and *Said*
W. Tyler Leasman Defendant. And this *he* shall in no wise

omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *30th* day of *May* 18 *92*, in the 11th year of the Commonwealth.
J. A. G. Hyatt Clerk.

5 3.80
 2.80
 6.30

Went

June 1.24
 April 11.24
 4.50
 16.78

Gravel Court House

add 2.00

June 1.24

2nd day June 1.24

Executed by
 Simeon C. D.

Or R June 3/92

L. M. Wade
 Deputy for
 C. C. Hanary
 S. L. C.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

WE COMMAND YOU TO SUMMON *Peter x Rays (Juel*
J. x Rays, x A. C. x Ely, L. C. x Blumenship
and L. M. x Carnichael

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the first
day of April (2 years) term next to testify and the truth to speak in behalf of
Nimrod Lee in certain matters of controversy
pending in our said Court between 2 sides

Timrod Lee Plaintiff, and

St. Tyler Coomer Defendant. And this they shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This 2nd day of March 1892, in the 116 year of the Commonwealth.

J. S. Syatt Clerk.

Nimrod Tree

res³ Spa

G. Tyler Comstock

To 1st day Apr. S.T. 1892.

executed by summons
the within witnesses this
~~exact~~ April 2 - 1892.

J. M. Weston D.S. for
C. E. Flanary S.L.B.

480
360

120

490
360

130

490
150

340

18
20

38

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

WE COMMAND YOU TO SUMMON

L. D. Orr

To appear before the Judge of our Circuit Court of Lee County, at the courthouse on the *first*
day of *November* term next to testify and the truth to speak in behalf of
G. Tylen Coomstock in certain matters of controversy
pending in our said Court between

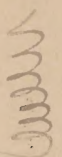
Amrod Orr Plaintiff, and *said*

G. Tylen Coomstock Defendant. And this *he* shall in no wise
omit under the penalty of Twenty Dollars. And have then there this writ. Witness, J. A. G. Hyatt,
Clerk of our said Court at the Courthouse.

This *23rd* day of *Novr.* 1891, in the 11th year of the Commonwealth.

J. A. G. Hyatt
Clerk.

G. Tyler Coomer

ads  Spa

Nimrod Road

To 1st day Nov. 1. 1891.

Executed by summons
the within witness
this Nov 30 1891

L. M. Wade Deputy
for C. E. Hlanary
J. L. C.